

Monte J. White & Associates, P.C.
Monte J. White
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:

Tim James Lynch
and
Kathy Elaine Lynch
Debtors

§
§
§
§ Case No.09-70281-HDH-13
§
§
§

MOTION TO SELL SECURED
PROPERTY FREE AND CLEAR OF LIENS

Comes now Debtors, Tim James Lynch and Kathy Elaine Lynch, and respectfully show the Court the following:

1. Debtors filed a voluntary petition for relief under Chapter 13 of Title 11 of the United States Code on June 9, 2009.
2. Debtors received a loan from for the purchase of 2592 Vaughn Rd, Burkburnett, Wichita County, Texas:
3. Debtors have scheduled Wells Fargo Home Mortgage as a secured creditor on Schedule D of the petition and has treated Wells Fargo Home Mortgage as a secured creditor in the Chapter 13 Plan;
4. Debtors wish to sell the house and apply the proceeds of such sale to the principle debt owing Wells Fargo Home Mortgage in the approximate amount of \$67,000.00 , and;
5. Debtors have located a buyer and an agreement has been reached to sell the house for \$172,800.00. Said agreement is attached as EXHIBIT A.
6. Debtors request that the Court grant permission to pay such expenses of sale as set forth in the said attached agreement (EXHIBIT A).
7. Debtors request permission to pay to Monte J. White and Associates, P.C. the amount of \$400.00 at closing for the preparation and filing of this motion.

FOR THESE REASONS, Debtors request an order allowing the sale of real property located at 2592 Vaughn Rd, Burkburnett, Wichita County, Texas, that Wells Fargo Home Mortgage 's lien attach to the proceeds of the sale pending distribution, that costs of sale be paid as per the contract at closing, that taxes be prorated to and paid at the time of closing, that the Trustee be provided a copy of the closing

statement that attorney fees in the amount of \$400.00 are approved and for such additional or alternative relief as may be just and proper.

Respectfully submitted,

/s/Monte J. White
Monte J. White & Associates, P.C.
1106 Brook Ave, Hamilton Place
Wichita Falls, TX 76301
(940)723-0099
(940)723-0096 Fax

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 8, 2009, a true and correct copy of the foregoing was served on all parties on the mailing matrix by ECF and/or regular mail:

/s/Monte J. White

Case 09-70281-hdh13	Doc 20	Filed 10/08/09	Entered 10/08/09 15:43:16	Desc Main
Label Matrix for local noticing 0539-7 Case 09-70281-hdh13 Northern District of Texas Wichita Falls Wed Oct 7 14:44:03 CDT 2009	Compass Bank P.O. Box 201347 ARLINGTON, TX 76006-1347			Recovery Management Systems Corporation 25 SE 2nd Ave. Ste. 1120 Miami, FL 33131-1605
1100 Commerce Street Room 1254 Dallas, TX 75242-1305	AES-Chase Bank 1200 N 7th St Harrisburg, PA 17102-1419			Adam Butera, MDPA 1714 10th Street Wichita Falls, TX 76301-5011
American Medical Response PO Box 847925 Dallas, TX 75284-7925	Andre P. Desire, MD 1709 10th Street, Suite B Wichita Falls, TX 76301-5040			BURKBURNETT INDEPENDENT SCHOOL DISTRICT C/O PERDUE BRANDON FIELDER COLLINS & MOT PO BOX 8188 WICHITA FALLS TX 76307-8188
Capital One, N.a. 2730 Liberty Ave Pittsburgh, PA 15222-4704	Chase 800 Brooksedge Blvd Westerville, OH 43081-2822			City of Burk-ISD-Wichita County CO Harold Lerew PO Box 8188 Wichita Falls, TX 76307-8188
Clay County Memorial Hospital 310 W South Street Henrietta, TX 76365-3346	Clinics of North Texas PO Box 97547 Wichita Falls, TX 76307-7547			Community Health Care Center P O Box 720 Wichita Falls, TX 76307-0720
Compass Bank Attn: Bankruptcy PO Box 10566 Birmingham, AL 35296-0002	Compass Bank P.O. Box 10566 Birmingham, AL 35296-0002			Compass Bank (Secured) P.O. Box 201347 Arlington, TX 76006-1347
Denton Teachers Credit Union 225 W Mulberry Denton, TX 76201-6011	ECMC P. O. Box 75906 St. Paul, MN 55175-0906			IRS Special Procedures 1100 Commerce St., Room 951 Mail Stop 5029 DAL Dallas, TX 75242-1001
JP Morgan Chase Bank, N Po Box 6004 Ridgeland, MS 39158-6004	Monte J. White & Associates 1106 Brook Ave Wichita Falls TX 76301-5009			PRA Receivables Management, LLC As Agent Of Portfolio Recovery Assocs. c/o Capital One POB 41067 NORFOLK VA 23541-1067
Recovery Management Systems Corporation 25 S.E. 2nd Avenue, Suite 1120 Miami, FL 33131-1605	Shawnee Medical Center Clinic PO Box 849 Shawnee, OK 74802-0849			Titanium Emergency Group P.O. Box 3407 Emergency room Physician Wichita Falls, Texas 76301-0407
Union Square F C U Po Box 6050 Sheppard Afb, TX 76311-0050	United Reference Laboratory 1702 7th Street Wichita Falls, Texas 76301-4202			United Regional 1600 11th Street Wichita Falls, TX 76301-4388

Wells Fargo Bank, N.A. c/o Legal Practice Management 15000 Surveyor Blvd. Suite 1720 Addison, TX 75001-4417	Wells Fargo Bank, N.A. c/o Wells Fargo Card Services Recovery Department P.O. Box 9210 Des Moines, IA 50306-9210	Wells Fargo Card Ser PO Box 5058 Portland, OR 97208-5058
Wells Fargo Home Mtg Attention: Bankruptcy Department MAC-X 3476 Stateview Blvd. Fort Mill, SC 29715-7203	eCAST Settlement Corporation, assignee of Chase Bank USA, N.A. POB 35480 Newark, NJ 07193-5480	jpmorgan chase bank,n.a. aes student loan - private 201 n central ave azl-1191 phoenix, az 85004-0073
Kathy Elaine Lynch 2592 Vaughn Rd. Burkburnett, TX 76354-5448	Monte J. White Monte J. White & Associates, P.C. 1106 Brook Avenue Wichita Falls, TX 76301-5009	Tim James Lynch 2592 Vaughn Rd Burkburnett, TX 76354-5448
UST U.S. Trustee 1100 Commerce Street Room 976 Dallas, TX 75242-1011	Walter 12,13 OCheskey 6308 Iola Avenue Lubbock, TX 79424-2735	

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Wells Fargo Bank, NA	End of Label Matrix	
	Mailable recipients	43
	Bypassed recipients	1
	Total	44